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**Of Attorneys for Defendants**

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

JOSEPH LEONETTI, personally and as  
Personal Representative of the Estate of  
Holly Leonetti, deceased,

Plaintiff,

v

PATRICK BRAY, LISA SHIPLEY,  
ANTHONY KOLLIAS, CLINT PIERCE, and  
CLACKAMAS COUNTY, a Political  
Subdivision of the State of Oregon,

Defendants.

Case No.

NOTICE OF REMOVAL TO U.S.  
DISTRICT COURT

TO: JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT  
OF OREGON; Administrator of the Circuit Court of the State of Oregon for the  
County of Clackamas; and JAN K. KITCHEL, Attorney for Plaintiff.

The removing parties: Patrick Bray, Lisa Shipley, Anthony Kollias, Clint Pierce  
and Clackamas County, and their undersigned attorney, respectfully show this Court the  
following:

1. The removing parties: Patrick Bray, Lisa Shipley, Anthony Kollias, Clint Pierce and Clackamas County, are the Defendants in the above entitled action.

2. On December 2, 2015, the above entitled action was commenced against the Defendants in the Circuit Court of the State of Oregon for Clackamas County and is now pending in such court with the designation **Circuit Court Case No. CV 151200043**.

3. On December 14, 2015, a copy of the Summons and Complaint in the above entitled state case was served upon each of the Defendants: Patrick Bray, Lisa Shipley, Anthony Kollias, Clint Pierce and Clackamas County, by the delivery of copies of the Summons and Complaint, directed to each of the Defendants, to the Offices of the Clackamas County Counsel, pursuant to an agreement for the acceptance of service by counsel for each of the Defendants.

4. No further proceedings have occurred in this action in state court.

5. Each of the Defendants named in this case agrees that this action should be removed from state to federal court.

6. This notice of removal is filed within 30 days after service of process.

7. This Court has original jurisdiction of the above entitled action pursuant to 28 USC § 1331, because it is a suit for damages brought pursuant to 42 USC § 1983 seeking recovery for violations of certain rights of the Plaintiff that are provided for and guaranteed by the United States Constitution.

8. This Court has original jurisdiction of the above entitled action pursuant to 28 USC § 1343, because it is a suit to redress the deprivation, under color of State regulation, custom or usage, of rights secured by the Constitution of the United States.

9. Attached to this Notice are copies of the Complaint and the Summonses served on the Defendants: Patrick Bray, Lisa Shipley, Anthony Kollias, Clint Pierce and Clackamas County.

10. On the date set forth below, a copy of this Notice was served on the Plaintiff's attorney. On the same date, a copy of this Notice was filed with the clerk of the Clackamas County Circuit Court, the state court in which this action was commenced.

WHEREFORE, Patrick Bray, Lisa Shipley, Anthony Kollias, Clint Pierce and Clackamas County request that the above entitled action be removed from the Circuit Court of the State of Oregon for Clackamas County to the United States District Court for the District of Oregon.

DATED this 6<sup>th</sup> day of January, 2016.

STEPHEN L. MADKOUR  
CLACKAMAS COUNTY COUNSEL

s/ Alexander Gordon  
Alexander Gordon, OSB No. 822671  
Assistant County Counsel  
[agordon@clackamas.us](mailto:agordon@clackamas.us)  
Stephen L. Madkour, OSB No. 941091  
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OF ATTORNEYS FOR DEFENDANTS

### CERTIFICATE OF SERVICE

I certify that on this date I served or caused to be served a true and correct copy of the foregoing **NOTICE OF REMOVAL** on the party listed below as follows:

Jan K. Kitchel  
Cable Huston LLP  
1001 SW Fifth Avenue  
Suite 2000  
Portland, Oregon 97204-1136  
Attorney for Plaintiff

- ☒ by **MAILING** a full, true and correct copy thereof in a sealed, postage-paid envelope, addressed as shown above, and deposited with the U.S. Postal Service at Portland, Oregon, on the date set forth below;
- ☐ by causing a full, true and correct copy thereof to be **HAND-DELIVERED** to the party the date set forth below;
- ☒ by **EMAILING** a full, true and correct copy thereof to the party, at the email address shown above, which is the last-known email address for the party's office, on the date set forth below;
- ☐ by **FAXING** a full, true and correct copy thereof to the party, at the fax number shown above, which is the last-known fax number for the party's office, on the date set forth below.

Dated this 6<sup>th</sup> day of January, 2016.

STEPHEN L. MADKOUR  
CLACKAMAS COUNTY COUNSEL

s/ Alexander Gordon

Alexander Gordon, OSB No. 822671

Assistant County Counsel

[agordon@clackamas.us](mailto:agordon@clackamas.us)

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